

The Honorable Richard Jones

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

GENE PALMER,

Plaintiff,

v.

TIENNEY MILNOR, HER HUSBAND  
AND THEIR MARITAL  
COMMUNITY, MELANIE  
TRATNIK, HER HUSBAND AND  
THEIR MARITAL COMMUNITY,  
STATE OF WASHINGTON, OFFICE  
OF ATTORNEY GENERAL,  
DEPARTMENT OF LABOR AND  
INDUSTRIES, LABORERS'  
INTERNATIONAL UNION OF  
NORTH AMERICA LOCAL 292,  
AND DISTRICT COUNCIL OF  
LABORERS WASHINGTON AND  
NORTHERN IDAHO,

Defendants.

NO. 2:19-cv-00961-RAJ

EMERGENCY MOTION FOR  
ORDER PROHIBITING CONTACT  
AND THREATENING CONDUCT

NOTE ON MOTION CALENDAR:

**JULY 1, 2021**

**ORAL ARGUMENT REQUESTED**

Defendants Francis Leaman, Tienney Milnor, Melanie Tratnik, Washington State Office of the Attorney General, and Washington State Department of Labor and Industries (hereafter "State Defendants"), by and through their attorney, Gauri Shrotriya Locker, Assistant Attorney General, hereby file this Motion to request that the Court direct the plaintiff, Gene Palmer, to limit

1 communications to the undersigned counsel, to immediately cease contact with individually-  
2 named defendants, and to immediately cease the threatening conduct outlined below.

3 At the very onset of this case, defense counsel told Mr. Palmer to direct any  
4 communications related to the above-referenced defendants to her, given that she had appeared  
5 and represented them. *See* Subjoined Declaration of Gauri Locker, ¶ 2.

6 However, on June 30, 2021, Mr. Palmer contacted Defendant Francis Leaman directly,  
7 and advised that, *inter alia*: (1) he was related to a federal judge who ordered that Defendants pay  
8 him the funds demanded in Palmer’s Complaint filed in this case; (2) that he intended to “beat  
9 up” Defendant Assistant Attorney General Tienney Milnor; (3) that he had family that worked in  
10 the federal court system who was assisting him with looking up addresses and contact info for  
11 individually-named defendants; (4) that he has served prison time for murder; (5) that he intended  
12 to “beat up” and kill Seattle Mayor Jenny Durkan’s wife; and (6) that he was “coming for”  
13 Defendant Leaman and that Defendant Leaman should be scared. *Id.* at ¶ 3.

14 It is frankly unknown whether Mr. Palmer will actually engage in dangerous, even life-  
15 threatening behavior but, in any event, his outrageous conduct cannot be tolerated. Not only is it  
16 inappropriate for Mr. Palmer to be contacting represented parties but, it is even more inappropriate  
17 for him to harass and threaten them. Intimidating and threatening tactics simply have no place in  
18 litigation.

19 Although defense counsel and State Defendants are pursuing appropriate action through  
20 other avenues, and have notified Mayor Durkan’s office about the threat, State Defendants hereby  
21 request that the Court directly and specifically order Mr. Palmer to immediately cease all contact  
22 of all types with the individually-named defendants, whether directly, indirectly or through others,  
23 including but not limited to telephone, email, and other electronic means. The Court should  
24 further order that Mr. Palmer may not cause, attempt, or threaten to cause bodily injury to,  
25 assault, harass, stalk, or keep under surveillance the named defendants, nor to knowingly enter,  
26 remain, or come within their residences or workplaces.

To the extent that Mr. Palmer has a legitimate need to interact with the individually-named defendants, he should be required to do so through the undersigned counsel, and in no other manner. *See, e.g.*, RPC 4.2 (prohibiting direct contact with represented parties). Mr. Palmer should be further advised that any effort to contact the named defendants in any way other than through the undersigned counsel will be grounds for contempt of court, and may subject him to arrest and confinement.

DATED this 1st day of July, 2021

ROBERT W. FERGUSON  
Attorney General

s/Gauri Shrotriya Locker  
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#### **SUBJOINED DECLARATION OF GAURI SHROTRIYA LOCKER**

I, Gauri Shrotriya Locker, declare and state as follows:

1. I am an adult, am competent to testify, I am the Assistant Attorney General representing defendants Francis Leaman, Tienney Milnor, Melanie Tratnik, the State of Washington Office of the Attorney General, and the State of Washington Department of Labor and Industries (“State Defendants”) in this matter, and have personal knowledge of the facts contained in this declaration.

2. Early on in this case, during one of my initial telephone calls with Mr. Palmer, I told Mr. Palmer to direct any communications related to defendants that I represented to me.



**CERTIFICATE OF SERVICE**

I hereby certify that I caused a copy of this document to be served on all parties or their counsel of record on 1st day of July 2021 as follows:

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